



City of Columbus

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90 West Broad Street
Columbus OH 43215-9015
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Legislation Text

File #: 1455-2010, **Version:** 1

Rezoning Application Z10-016

APPLICANT: Preferred Real Estate Investments II, LLC; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Apartment complex.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on September 9, 2010.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval. The requested L-AR-1, Limited Apartment Residential District will allow a maximum of 186 apartment units at a density of 25.83 units per acre, substantially higher than what is permitted in the surrounding PUD-8 Districts and the adjacent elderly housing/assisted living facility. The limitation text includes commitments to a site plan and elevation drawings, applicable *Northland Development Standards* (1992), maximum lot coverage of 68%, landscaping, screening, tree preservation, exterior building materials, and lighting controls. The site is located within the planning area of *The Northland Plan Volume II* (2002), which encourages single-unit residential development east of Hamilton Road and south of East Dublin-Granville Road. The Plan also encourages preservation of existing tree stands, wetlands, and other natural areas through sensitive site design. Staff supports multi-unit residential development as a transitional use between the institutional use to the west and the adjacent single-unit residential development, but prefers a lower density that is more consistent with the surrounding developments.

To rezone **5101 THOMPSON ROAD (43230)**, being 7.2± acres located on the south side of Thompson Road, 980± feet east of Chestnut Hill Drive, **From:** R, Rural District, **To:** L-AR-1, Limited Apartment Residential District (Rezoning # Z10-016).

WHEREAS, application #Z10-016 is on file with the Department of Building and Zoning Service requesting rezoning of 7.2± acres from R, Rural District, to L-AR-1, Limited Apartment Residential District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend disapproval of said zoning change because the requested L-AR-1, Limited Apartment Residential District will allow a maximum of 186 apartment units at a density of 25.83 units per acre, substantially higher than what is permitted in the surrounding PUD-8 Districts and the adjacent elderly housing/assisted living facility. Staff supports the proposed multi-unit residential development as a transitional use between the institutional use to the west and the adjacent single-unit residential development, but prefers a lower density that is more consistent with the surrounding developments, now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

5101 THOMPSON ROAD (43230), being 7.2± acres located on the south side of Thompson Road, 980± feet east of Chestnut Hill Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Plain, Quarter Township 3, Township 2, Range 16, United States Military District, and being all the residuum of that tract conveyed to Daniel J. Galiardi of record in Official Record 18002B02 and

Instrument Number 200312150394705 (A.P.N. 220-000634) and all the residuum of those tracts conveyed to Judith A. Davis of record in Deed Book 3251, Page 357, Deed Book 3555, Page 361 and Official Record 30152J08 (A.P.N. 220-000597), and described as follows:

Beginning at the current northeast corner of said Galiardi tract, the same being the southeast corner of that tract conveyed to City of Columbus of record in Instrument Number 200502040022202 and in the south right-of-way line for Thompson Road, being in an existing City of Columbus Corporation Line (Case No. 42-99, Ord. No. 0018-00, I.N. 200003170052263);

Thence Southerly, with the east line of said Galiardi tract, being said corporation line, about 438 feet to the southeast corner of said Galiardi tract;

Thence Westerly, with the south line of said Galiardi tract, being said corporation line and existing City of Columbus Corporation Lines (Ord No. 639-89, O.R. 13292D07 and Case No. 55-90, Ord. No. 935-91, O.R. 16932H09), about 272 feet to the southwest corner of said Galiardi tract, in the east line of said Davis tract;

Thence Southerly, with the east line of said Davis tract, being said corporation line, about 263 feet to the current southeast corner of said Davis tract;

Thence Southwesterly, with a current south line of said Davis tract, about 92 feet to a current corner of said Davis tract, in an existing City of Columbus Corporation Line (Case No. 4-78, Ord. No. 1441-78, M.R. 170, Pg. 555);

Thence Northerly, with a west line of said Davis tract, being said corporation line, about 54 feet to a corner of said Davis tract;

Thence Westerly, with a south line of said Davis tract, being said corporation line, about 200 feet to the southwest corner of said Davis tract;

Thence Northerly, with the west line of said Davis tract, being an existing City of Columbus Corporation Line (Case No. 89-88, Ord. No. 642-89, O.R. 13292F10), about 691 feet to the current northwest corner of said Davis tract, the same being the southwest corner of that tract conveyed to City of Columbus of record in Instrument Number 200309270310626 and in said south right-of-way line for Thompson Road;

Thence Easterly, with said south right-of-way line, being a south line of Pending Annexation Case No. 08-09, about 549 feet to the Point of Beginning, and containing approximately 7.2 acres of land, more or less. The above description was written by John C. Dodgion, P.S. 8069 on June 04, 2009. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 2559 feet, of which about 1918 feet are contiguous with existing City of Columbus Corporation Lines, being about 75% contiguous. This annexation does not create any islands of township property.

This description was written for annexation purposes only and was not intended to be used in the transfer of lands.

To Rezone From: R, Rural, District

To: L-AR-1, Limited Apartment Residential District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-AR-1, Limited Apartment Residential District on this property.

SECTION 3. That the Director of the Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services and shall register a copy of the approved L-AR-1, Limited Apartment Residential District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said plans being titled, "**ZONING SITE PLAN**," and "**BUILDING ELEVATION**," and text titled, "**LIMITATION OVERLAY TEXT**," all signed by Jill S. Tangeman, Attorney for the Applicant, dated September 23, 2010, and the text reading as follows:

Limitation Overlay Text

Proposed District: L-AR-1
Property Address: 5101 Thompson Road
Owners: Judith Davis and Daniel Galiardi
Applicant: Preferred Real Estate Investments II LLC
Date of Text: September 23, 2010
Application No: Z10-016

I. Introduction: The subject site is an in-fill property located between regional scale commercial uses, institutional uses and residential uses. The site is ideal for a multi-family project with increased density, due to the fact that infrastructure, support services, leisure activities and working environments are all in the immediate proximity. A traffic study for the site was completed and showed that there is already a sufficient roadway network in this area and that the proposed development would not have any significant impact on traffic levels. The traffic study has been reviewed and approved by the City of Columbus. The applicant has committed to a Site Plan. The Site Plan identifies a tree preservation zone on the east and south sides of the property, as well as additional landscaping and fencing along Thompson Road and the east and south sides of the property.

The site is part of the Pay-As-We-Grow program and the applicant will be obligated to pay \$2,300 per unit to the City of Columbus, which will result in \$427,800.00 in additional income to the City of Columbus. The site can be developed at increased densities without impacting existing roadways and, at the same time, provide significant funds for area parks, services and infrastructure.

2. Permitted Uses: Multi-family and associated uses as shown on the "Site Plan".

3. Development Standards:

A. Density, Lot, and/or Setback Commitments.

1. The maximum number of dwelling units shall be 186.
2. The parking setback shall be 30 feet from Thompson Road.
3. There shall be a five (5) foot perimeter yard setback on the west side of the development as approved by CV10-029 and a twenty five (25) foot perimeter yard setback on the east and south sides of the development. No encroachment shall be permitted.
4. Maximum building height shall be 35'

B. Access, Loading, Parking and/or Other Traffic Related Commitments.

1. All curb cuts and access points shall be subject to the review and approval of the Planning and Operations Division of the City of Columbus.
2. The owner and/or developer must establish and maintain an agreement(s) with a private towing company(s), which authorizes the private towing company(s) to remove/tow any vehicles parked in restricted areas. There may be one or more such agreements with one or more towing company(s) for any times/lengths, terms, etc. as the owner and/or developer determines, so long as at least one such agreement will always, at all times be in force for the purposes of enforcements/removal towing as required above. Towing agreements will be filed annually with the Columbus Division of Fire, Fire Prevention Bureau, Plans Review Office, upon execution of contract. The owner and/or developer will designate the City of Columbus as an authorized agent for the sole and specific purposes of enforcement of parking restrictions and the issuance of citations and/or removal of vehicles parked in violation of posted parking restrictions.

C. Buffering, Landscaping, Open Space and/or Screening Commitments.

1. The frontage along Thompson Road shall be landscaped with 2 deciduous and 2 ornamental trees planted for every 100 feet of frontage and white horse-rail fencing that meets the New Albany Company standards. The trees may be evenly spaced or grouped together.
2. The developer shall install landscaping and basket weave fencing along the east and south property lines as shown on the Site Plan. Fencing shall be six feet in height and white in color.

3. A fifteen foot tree preservation zone shall be established along the east and south property lines as shown on the Site Plan. Indigenous plantings will be installed to fill voids within the tree preservation zone. Developer will consult with the City Forester.
4. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first. The fencing shall be well maintained and painted regularly as needed.
5. Lot coverage for building and pavement shall be limited to 68% as shown on the Site Plan.

D. Building Design and/or Interior-Exterior Commitments.

1. Buildings will be constructed with an exterior mixture of brick or stone veneer, wood or cement wood siding and beaded vinyl siding.
2. Maximum height of light poles shall be fourteen feet.

E. Graphics and/or Signage Commitments.

1. All graphics and signage shall comply with Article 15, Chapter 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
2. The developer shall comply with the park land dedication ordinance by contributing money to the City's Recreation and Parks Department.

F. Miscellaneous

1. The proposed shall be developed in general conformance with the submitted site plan and building elevations. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Streets are schematic and subject to change. Any adjustment to the site plan or building elevations is subject to review and approval by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.